

DRAFT ENVIRONMENTAL ASSESSMENT

PINE GROVE POND FISHING ACCESS SITE PROPOSED WEST ACQUISITION



October 2016



**Montana Fish,
Wildlife & Parks**

**Pine Grove Pond Fishing Access Site
Proposed West Acquisition
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Since acquisition in 2011 by Montana Fish, Wildlife & Parks (FWP), the 13-acre Pine Grove Pond Fishing Access Site (FAS) three miles northeast of Kalispell, Montana, has been a very popular and heavily used site, receiving as many as 25,000 visitor days per year. In 2013, FWP acquired an additional 5.39 acres for the purpose of providing access to the Whitefish River and for site control and protection. In 2014, FWP acquired an additional 4.59 acres, mostly on the southern boundary providing a buffer between the busy FAS and neighboring private land and additional parking area.

FWP proposes to accept a donation of one long, narrow parcel of land totaling 5.17 acres between the existing parking areas of Pine Grove Pond FAS and the base of the hillside to the west. The purpose of the donation is to provide a buffer to future development of private land west of the FAS and as potential for future additional parking or other uses as needed.

2. Agency authority for the proposed action:

The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs Montana Fish, Wildlife & Parks (FWP) to acquire, develop, and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guide public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of users and the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features, and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed project in relation to this rule. See Appendix A for HB 495 qualification.

3. Name of project:

Pine Grove Pond Fishing Access Site Proposed West Acquisition

4. Project sponsor:

Montana Fish, Wildlife & Parks, Region 1
490 North Meridian Road
Kalispell, MT 59901
(406) 752-5501

5. **Anticipated schedule:**

Estimated public comment period: End of October and early November 2016

Estimated decision notice: November 2016

FWP Commission and Land Board consideration: December 2016

6. **Location:**

Pine Grove Pond FAS is located approximately three miles northeast of Kalispell, Montana, near the Whitefish River, two miles east of Highway 93 and ½ mile west of Highway 2 in Flathead County. The land is located in Section 29, Township 29 North, Range 21 West (Figures 1 and 2).

Figure 1. General location of Pine Grove Pond FAS Proposed West Acquisition

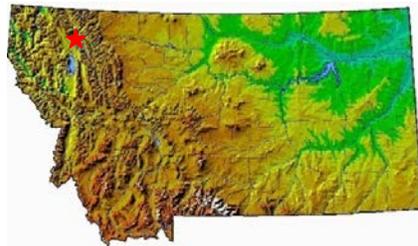


Figure 2. Highway location of Pine Grove Pond FAS Proposed West Acquisition

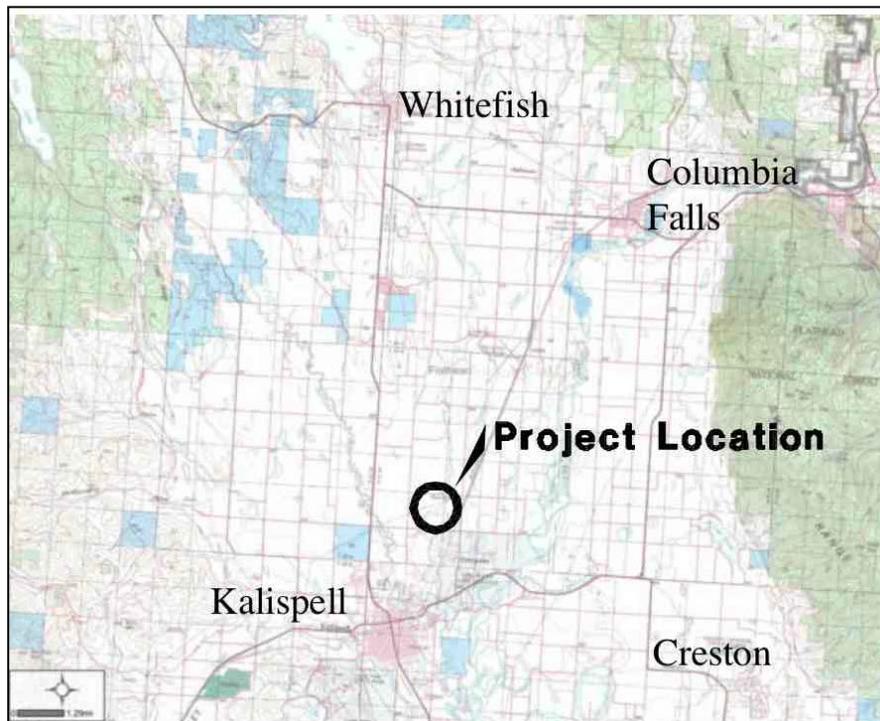
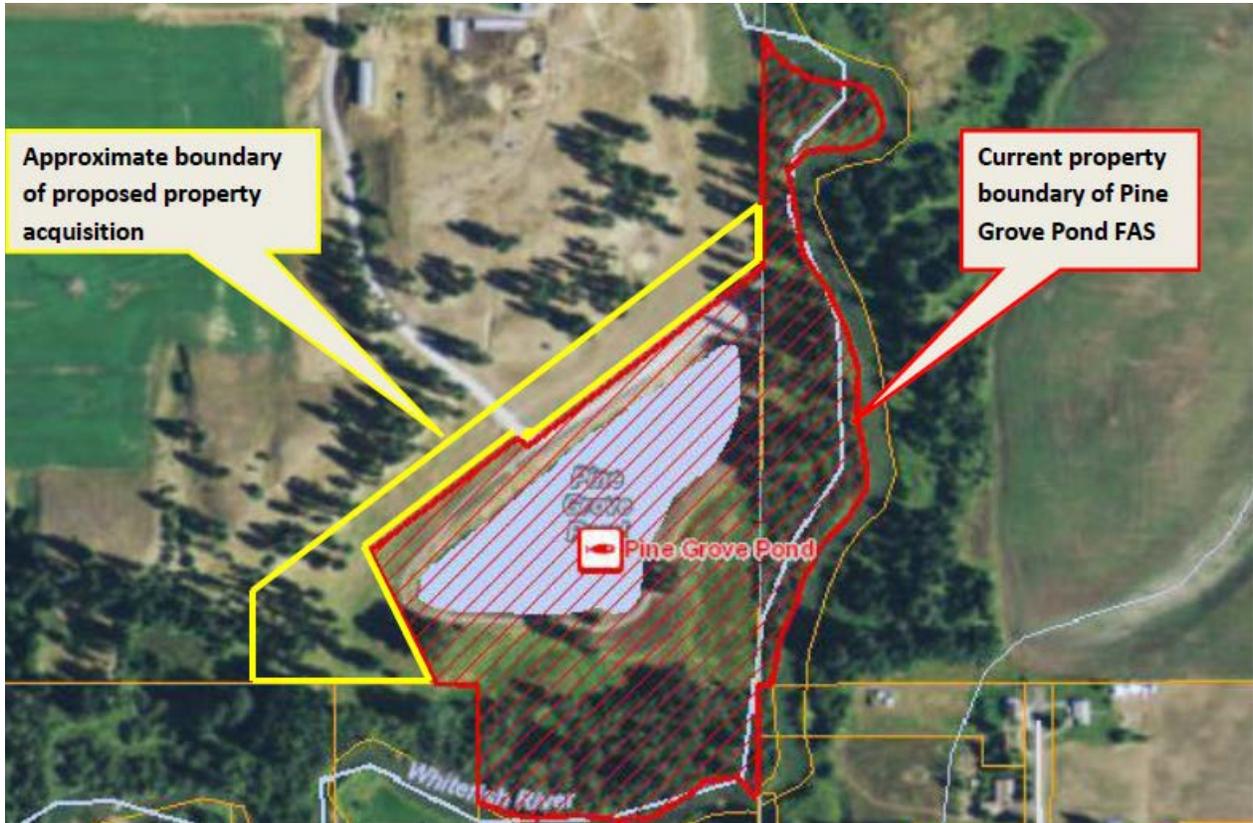


Figure 3. Pine Grove Pond FAS Proposed West Acquisition



7. Project size:

| | <u>Acres</u> | | <u>Acres</u> |
|-------------------------|--------------|--------------------|--------------|
| (a) Developed: | | (d) Floodplain | <u>0</u> |
| Residential | <u>0</u> | | |
| Industrial | <u>0</u> | (e) Productive: | |
| (b) Open Space/ | <u>5.17</u> | Irrigated cropland | <u>0</u> |
| Woodlands/Recreation | | Dry cropland | <u>0</u> |
| (c) Riparian/Wetland | <u>0</u> | Forestry | <u>0</u> |
| Areas | | Rangeland | <u>0</u> |
| * Approximate acreages. | | Other | <u>0</u> |

8. Local, state, or federal agencies with overlapping or additional jurisdiction:

(a) **Permits:** No permits required.

(b) Funding:

| <u>Agency Name</u> | <u>Funding Amount</u> |
|--|-----------------------|
| N/A The Street Family is donating the parcel to FWP. | |

(c) Other overlapping or additional jurisdictional responsibilities

| <u>Agency Name</u> | <u>Type of Responsibility</u> |
|---------------------------------|---------------------------------|
| Natural Heritage Program | Species of Concern (Appendix B) |
| Flathead County Weed Department | Weed Management Coordination |

Section 7-22-2154 (2), MCA, requires a weed inspection by the county weed district before acquiring new land. The weed inspection has been completed by Flathead County Weed District (Appendix C - Weed Inventory).

1. Narrative summary of the proposed action:

The proposed Pine Grove Pond FAS West Acquisition is located on 5.17 acres between Pine Grove Pond FAS and the hillside to the west, about three miles northeast of Kalispell. (Figure 3).

The vegetation found on Pine Grove Pond FAS and the proposed acquisition consists of upland grassland, and riparian shrub and woodland. Upland grasses consist of smooth brome, Kentucky bluegrass, cheatgrass, and Japanese brome. Riparian shrub and woodland vegetation consists of snowberry, chokecherry, hawthorn, black cottonwood, Douglas fir, ponderosa pine, and Rocky Mountain juniper. Common introduced species found on the property include smooth brome, Kentucky bluegrass, orchardgrass, cheatgrass, Japanese brome, alfalfa, and mustard. The most common noxious weeds found on the property include Canada thistle, yellow toadflax, tumble mustard, houndstongue, and knapweed.

Wildlife species whose habitat distribution overlaps the proposed acquisition area include white-tailed deer, mountain lion, moose, black bear, beaver, river otter, muskrats, small mammals, bald eagles, great blue heron, osprey, pheasant, Hungarian partridge, raptors, waterfowl, and migratory and neotropical song birds.

Four FWP fishing access sites on the Flathead River are located near Pine Grove Pond FAS, including Old Steel Bridge/Shady Lane FAS, downstream 3.3 miles; Pressentine FAS, upstream 4.2 miles; Kokanee Bend FAS, upstream 7.6 miles; and Teakettle FAS, upstream 9.6 miles. Pine Grove Pond FAS provides a close, accessible, and much needed recreational site for children and families near Kalispell.

Since its acquisition by FWP in 2011, Pine Grove Pond FAS has been a very popular and heavily used site, receiving as many as 25,000 visitor days per year. To the west of the property is roughly 160 acres of private land that may someday be developed. It is currently in agricultural fields. There is a steeply sloped hillside that runs parallel to the western FAS boundary, above which is most of the private parcel. FWP proposes to accept the donation of 5.17 acres adjacent to the existing parking area to the base of the steep slope (Figure 3). FWP proposes to fence the property boundaries where necessary. The purpose of the additional land is to provide a buffer to future development of the private land to the west of the FAS and potential for future additional parking or other uses as needed. The acceptance of the donation totaling 5.17 acres would allow FWP to provide public access for wildlife viewing and picnicking for families adjacent to the very popular Pine Grove Pond FAS. The land, if acquired, would be open to the general public for non-motorized use. The FAS would be for day use only and no camping would be allowed. Noxious weeds would be controlled using the Statewide Integrated Management Plan. If acquired, regulation and informational signs would be installed as needed.

PART II. ENVIRONMENTAL REVIEW

1. Description and analysis of reasonable alternatives:

Alternative A: No Action

If no action were taken, FWP would decline the opportunity to accept the donated parcel, and the landowner could retain or dispose of the property at their discretion. Future development of the parcel could occur immediately adjacent to the existing westside boundary of the FAS. No buffer would exist to the west of the parking areas. FWP would continue to manage the adjacent FAS for the benefit of the public and existing resources.

Alternative B: Proposed Action

FWP would accept the donation of a total of 5.17 acres in order provide a buffer to future development on neighboring private land, additional parking if needed, wildlife viewing, and picnicking. FWP also proposes to fence the property boundary where necessary.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

N/A

PART III. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action, including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

| 1. <u>LAND RESOURCES</u> Will the proposed action result in: | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Soil instability or changes in geologic substructure? | | X | | | | 1a. |
| b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility? | | X | | | | |
| c. Destruction, covering, or modification of any unique geologic or physical features? | | X | | | | 1c. |
| d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake? | | X | | | | |
| e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard? | | X | | | | |

1a. The proposed acquisition would have no effect on existing soil patterns, structures, productivity, fertility, or instability because no additional soil-disturbing activities are currently planned for the property by FWP.

1c. No unique geologic or physical features would be altered by the Proposed Action.

| 2. <u>AIR</u> Will the proposed action result in: | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13c.) | | X | | | | |
| b. Creation of objectionable odors? | | X | | | | |
| c. Alteration of air movement, moisture, or temperature patterns, or any change in climate, either locally or regionally? | | X | | | | |
| d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants? | | X | | | | |
| e. <u>For P-R/D-J projects</u> , will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.) | | NA | | | | |

The proposed acquisition would have no effect on air quality.

| 3. <u>WATER</u> Will the proposed action result in: | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Discharge into surface water or any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity? | | X | | | | |
| b. Changes in drainage patterns or the rate and amount of surface runoff? | | X | | | | |
| c. Alteration of the course or magnitude of floodwater or other flows? | | X | | | | |
| d. Changes in the amount of surface water in any water body or creation of a new water body? | | X | | | | |
| e. Exposure of people or property to water-related hazards such as flooding? | | X | | | | |
| f. Changes in the quality of groundwater? | | X | | | | |
| g. Changes in the quantity of groundwater? | | X | | | | |
| h. Increase in risk of contamination of surface or groundwater? | | X | | | | |
| i. Effects on any existing water right or reservation? | | X | | | | |
| j. Effects on other water users as a result of any alteration in surface or groundwater quality? | | X | | | | |
| k. Effects on other users as a result of any alteration in surface or groundwater quantity? | | X | | | | |
| l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.) | | NA | | | | |
| m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.) | | NA | | | | |

The proposed acquisition would have no effect on surface water, drainage patterns, or groundwater and would not affect flood potential.

| 4. VEGETATION Will the proposed action result in? | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)? | | | X | | Yes | 4a. |
| b. Alteration of a plant community? | | X | | | | |
| c. Adverse effects on any unique, rare, threatened, or endangered species? | | X | | | | 4c. |
| d. Reduction in acreage or productivity of any agricultural land? | | X | | | | |
| e. Establishment or spread of noxious weeds? | | X | | | | 4e. |
| f. For <u>P-R/D-J</u> , will the project affect wetlands, or prime and unique farmland? | | NA | | | | |

- 4a. The proposed acquisition would have no negative impact on the vegetation found on the FAS and could positively impact the site by reducing the incidence of noxious weeds through the implementation of the Statewide Integrated Weed Management Plan. Roughly half of the 5.17 acres is currently hayed and possibly will not be in the future.
- 4c. A search of the Montana Natural Heritage Program's (MNHP) Species of Concern database found no vascular or nonvascular plants of significance within the boundaries of the proposed acquisition.
- 4e. The primary noxious weeds found on the property include Canada thistle, yellow toadflax, houndstongue, and knapweed. If the acquisition were approved, FWP would initiate the Statewide Integrated Weed Management Plan using chemical, biological, and mechanical methods. Weed management would facilitate the restoration of native vegetation and prevent the spread of weeds. Vehicles would be restricted to the parking areas and roadway of the adjacent FAS, which would be maintained as weed free.

| 5. <u>FISH/WILDLIFE</u> Will the proposed action result in: | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Deterioration of critical fish or wildlife habitat? | | X | | | | 5a. |
| b. Changes in the diversity or abundance of game animals or bird species? | | X | | | | 5b. |
| c. Changes in the diversity or abundance of nongame species? | | X | | | | 5c. |
| d. Introduction of new species into an area? | | X | | | | |
| e. Creation of a barrier to the migration or movement of animals? | | X | | | | |
| f. Adverse effects on any unique, rare, threatened, or endangered species? | | X | | | | 5f. |
| g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)? | | X | | | | 5g. |
| h. For <u>P-R/D-J</u> , will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.) | | N/A | | | | |
| i. For <u>P-R/D-J</u> , will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.) | | N/A | | | | |

5a. Pine Grove Pond FAS and this stretch of the Whitefish River are not considered critical habitat for any fish or wildlife species.

5b/5c. According to FWP game and nongame wildlife biologists, Jessy Coltrane and Chris Hammond, and a search of the Montana Natural Heritage Program (MNHP) database, wildlife species whose habitat distribution overlaps the proposed acquisition area include white-tailed deer, mountain lion, moose, black bear, beaver, river otter, muskrats, small mammals (voles, shrews and mice), bald eagles, ospreys, kingfishers, pheasant, Hungarian partridge, raptors, waterfowl, and migratory and neotropical song birds. The acquisition of the 5.17 acres along the west boundary of the Pine Grove Pond FAS three miles northeast of Kalispell would have no negative impact on wildlife or wildlife habitat.

5f. A search of the MNHP showed that bull trout, a federally threatened species, and westslope cutthroat trout and lake trout, Montana Species of Concern, are occasionally found in the Stillwater River, which joins the Whitefish River 3 miles downstream of Pine Grove Pond FAS. Bull trout and westslope cutthroat trout are rare in the stretch of the Whitefish River that is adjacent to the acquisition properties. According to the MNHP, lake trout have not been observed in the Whitefish River. The acquisition should have no impact on their distribution or movement. (Appendix B – Native Species Report).

A search of the MNHP database also showed that great blue heron, a Montana Species of Concern, has been observed within or near the proposed acquisition, though no heron rookery is located within the vicinity of the FAS. The proposed acquisition should have no impact on great blue heron distribution or movement, as there is no rookery nearby and they have been accustomed to disturbance from agricultural, residential, and recreational use for years. Hoary bat,

a Montana Species of Concern, was observed within two miles of the FAS as recently as 2010. The proposed acquisition should also have no impact on hoary bat.

According to Chris Hammond, FWP nongame wildlife biologist, and a search of the Montana Natural Heritage Program database, bald eagles have been observed within two miles of Pine Grove Pond FAS. Even though bald eagles were delisted under the Endangered Species Act in 2007, they are now known as a Special Status Species. Special Status Species are species that have some legal protections in place, but are otherwise not recognized as federally listed under the Endangered Species Act and are not Montana Species of Concern. Bald Eagles are a Special Status Species because, although they are no longer protected under the Endangered Species Act and are also no longer a Montana Species of Concern, they are still protected under the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668-668c). The Montana Bald Eagle Management Guidelines (2010) recommends a buffer of at least ½ mile for construction of access sites. The proposed acquisition property falls outside of these recommended buffers for all bald eagle nests in the area and therefore is not likely to have a negative impact. In fact, the pond may provide additional habitat for bald eagles. Bald eagles use the Whitefish River as a corridor for feeding and, judging from the use of nearby Shady Lane Pond, they may use Pine Grove Pond for an additional food source.

Congress ordered the US Fish and Wildlife Service to delist wolves in 2011, and wolves became a species in need of management under state law. According to Jessy Coltrane, FWP wildlife biologist, the proposed acquisition properties occur within the known distribution of gray wolves, but there are no known wolf packs in the area or the immediate surrounding area. Ashley is the closest known pack, with its eastern territory edge about 13 miles to the east. Gray wolves are highly mobile, with large home ranges and extensive dispersal capabilities. Because Montana's wolf population is healthy, dispersing wolves could pass through just about anywhere and any activity of gray wolves in the project area would be transient in nature. Therefore, the proposed acquisition would not significantly impact gray wolves or pose a human safety concern (Appendix B - Native Species Report).

- 5g. The proposed action involves only an acquisition of property and does not include development or physical alteration of the property. As such, it is unlikely to stress or impact fish or wildlife populations in the area. The project is not near critical wildlife habitat for any species.

B. HUMAN ENVIRONMENT

| 6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in: | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Increases in existing noise levels? | | X | | | | |
| b. Exposure of people to severe or nuisance noise levels? | | X | | | | |
| c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property? | | X | | | | |
| d. Interference with radio or television reception and operation? | | X | | | | |

The proposed acquisition would have no effect on noise/electrical effects.

| 7. <u>LAND USE</u> Will the proposed action result in: | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Alteration of or interference with the productivity or profitability of the existing land use of an area? | | | X | | Yes | 7a. |
| b. Conflict with a designated natural area or area of unusual scientific or educational importance? | | X | | | | |
| c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action? | | X | | | | |
| d. Adverse effects on or relocation of residences? | | X | | | | |

- 7a. The property is currently undeveloped. Roughly half of the 5.17 acres are currently used for agricultural purposes. The proposed acquisition could take 2 to 3 acres of land out of agricultural production, but this limited amount would not alter or interfere with the productivity or profitability of the existing land use of the remaining property. If desired, the 2 to 3 acres could continue to be hayed in the future.

| 8. <u>RISK/HEALTH HAZARDS</u> | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| Will the proposed action result in: | | | | | | |
| a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption? | | | X | | Yes | 8a. |
| b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan? | | X | | | | |
| c. Creation of any human health hazard or potential hazard? | | X | | | | |
| d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a.) | | NA | | | | |

8a. If acquired, FWP would address the noxious weeds on the property (Appendix C - Weed Inventory). In conjunction with the Flathead County Weed District, FWP would continue implementing an integrated approach to control noxious weeds, as outlined in the FWP Statewide Integrated Noxious Weed Management Plan. The integrated plan uses a combination of biological, mechanical, and herbicidal treatments to control noxious weeds. The use of herbicides would be in compliance with application guidelines to minimize the risk of chemical spills or water contamination and would be applied by people trained in safe handling techniques.

| 9. <u>COMMUNITY IMPACT</u> | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| Will the proposed action result in: | | | | | | |
| a. Alteration of the location, distribution, density, or growth rate of the human population of an area? | | X | | | | |
| b. Alteration of the social structure of a community? | | X | | | | |
| c. Alteration of the level or distribution of employment or community or personal income? | | X | | | | |
| d. Changes in industrial or commercial activity? | | X | | | | |
| e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods? | | X | | | | |

The proposed acquisition would have little to no effect on the surrounding community.

| 10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in: | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: | | X | | | | |
| b. Will the proposed action have an effect upon the local or state tax base and revenues? | | X | | | | 10b. |
| c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications? | | X | | | | |
| d. Will the proposed action result in increased use of any energy source? | | X | | | | |
| e. Define projected revenue sources | | X | | | | |
| f. Define projected maintenance costs. | | X | | | | 10f. |

The proposed project would have no impact on public services, taxes, or utilities.

10b. There would be no change in the tax base since FWP would pay property taxes in an amount equal to that of a private individual.

10f. Annual additional maintenance costs for the addition are expected to average over \$500 per year including weed control and staff time. Maintenance costs are part of the existing FAS Operations and Maintenance budget.

| 11. <u>AESTHETICS/RECREATION</u> | IMPACT | | | | | |
|--|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| Will the proposed action result in: | | | | | | |
| a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view? | | X | | | | |
| b. Alteration of the aesthetic character of a community or neighborhood? | | X | | | | 11b. |
| c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.) | | X | | | | |
| d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails, or wilderness areas be impacted? (Also see 11a, 11c.) | | N/A | | | | |

11b. Acquisition of the west parcel would protect the existing aesthetic character of the FAS.

| 12. <u>CULTURAL/HISTORICAL RESOURCES</u> | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| Will the proposed action result in: | | | | | | |
| a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance? | | X | | | | |
| b. Physical change that would affect unique cultural values? | | X | | | | |
| c. Effects on existing religious or sacred uses of a site or area? | | X | | | | |
| d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.) | | NA | | | | |

No groundbreaking activities that could disturb cultural resources would be initiated as part of the proposed acquisition. A clearance from the State Historic Preservation Office (SHPO) for this property was obtained as part of the earlier gravel removal operation, with no cultural sites identified. An additional clearance from SHPO would be obtained before any additional groundbreaking activity were initiated in the future.

SIGNIFICANCE CRITERIA

| 13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole: | IMPACT | | | | | |
|---|---------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.) | | X | | | | |
| b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur? | | X | | | | |
| c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan? | | X | | | | |
| d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed? | | X | | | | |
| e. Generate substantial debate or controversy about the nature of the impacts that would be created? | | X | | | | |
| f. For <u>P-R/D-J</u> , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.) | | NA | | | | |
| g. For <u>P-R/D-J</u> , list any federal or state permits required. | | NA | | | | |

The proposed action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long term, the proposed addition to Pine Grove Pond FAS would positively affect the community by providing open space and much needed recreational opportunities for family fishing, wildlife viewing, and picnicking close to the rapidly growing city of Kalispell.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long term, the proposed addition to Pine Grove Pond FAS would positively affect the community by providing open space and much needed recreational opportunities for family fishing, wildlife viewing, and picnicking close to the rapidly growing city of Kalispell.

The minor impacts to the environment that were identified in the previous section are small in scale and would not influence the overall environment of the immediate area. The natural environment would continue to provide habitat to transient and permanent wildlife species and would be open to the public for access to the pond and the Whitefish River.

Based upon the weed inventory conducted by the Flathead County Weed Control District, the proposed acquisition is relatively weed free, with scattered Canada thistle, yellow toadflax, houndstongue, and knapweed on the property. If acquired, FWP would initiate the Statewide Integrated Weed Management Plan using biological, chemical, and physical methods of weed control.

The proposed addition would have no negative impact on the local wildlife species that frequent the property, would not increase negative conditions that stress wildlife populations, and is not considered critical habitat for any species.

While it is possible for wolves to travel through the project area, there are no known wolf packs in the surrounding area, none have been sighted in the area, and any wolf activity in the project area would be transient in nature. Therefore, it is unlikely that the proposed acquisition would impact gray wolves.

Four FWP fishing access sites on the Flathead River are located near Pine Grove Pond FAS, including Old Steel Bridge/Shady Lane FAS, downstream 3.3 miles; Pressentine FAS, upstream 4.2 miles; Kokanee Bend FAS, upstream 7.6 miles; and Teakettle FAS, upstream 9.6 miles. Pine Grove Pond FAS is the only FWP FAS on the Whitefish River and is the closest fishing access site to the city of Kalispell, providing a close, accessible, and much needed recreational site for children and families near Kalispell.

This environmental analysis focuses on the acquisition of one parcel. FWP has received preliminary approval from the FWP Commission to accept the donation of one parcel. Final approval will be contingent upon public scoping and receiving final FWP Commission approval. Acquisition of the donated 5.17-acre parcel will provide a buffer to the FAS from future development. The land, if acquired, would be open to the general public for day use only. If acquired, regulation and informational signs would be posted.

PART IV. PUBLIC PARTICIPATION

- 1. Describe the level of public involvement for this project, if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The public will be notified in the following manners to comment on the Pine Grove Pond FAS Proposed South Acquisition:

- Public notices in each of these papers: the *Daily Inter Lake*, the *Whitefish Pilot*, and the *Helena Independent Record*.
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
- Direct notice will be given to adjacent landowners.
- Draft EAs will be available at the FWP Region 1 Headquarters in Kalispell and the FWP State Headquarters in Helena.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP, Region 1, issues.
- Notification of this EA will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope, having limited impacts.

If requested within the comment period, FWP will schedule and conduct a public meeting on this proposed project.

- 2. Duration of comment period:**

The public comment period will extend for fifteen days, from Thursday, October 20 through 5:00 p.m., Friday, November 4, 2016. Written comments can be e-mailed to tpowell@mt.gov or mailed to the address below:

Pine Grove Pond FAS Proposed West Acquisition
Montana Fish, Wildlife & Parks, Region 1
490 North Meridian Road
Kalispell, MT 59901
(406) 752-5501

PART V. EA PREPARATION

1. **Based on the significance criteria evaluated in this EA, is an EIS required? No**
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action; therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, Fish, Wildlife & Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur, or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact; the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. **Persons responsible for preparing the EA:**

| | |
|--|--|
| Tony Powell | Mark Deleray |
| Region 1 FAS Program Manager | Region 1 Fisheries Program Manager |
| 490 North Meridian Road | 490 North Meridian Road |
| Kalispell, MT 59901 | Kalispell, MT 59901 |
| tpowell@mt.gov | mdeleray@mt.gov |
| (406) 751-5423 | (406) 751-4550 |

3. **List of agencies consulted during preparation of the EA:**

Flathead County Weed District
Montana Fish, Wildlife & Parks
 Design and Construction
 Lands Unit
 Legal Unit
 Fisheries Division
 Wildlife Division
 Responsive Management Unit
Montana Natural Heritage Program

APPENDICES

- A. MCA 23-1-110 Qualification Checklist
- B. Native Species Report - Montana Natural Heritage Program (MNHP)
- C. Flathead County Weed Inventory

APPENDIX A
23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

Date: October 18, 2016

Person Reviewing: Mark Deleray

Project Location: Pine Grove Pond FAS is three miles northeast of Kalispell, Montana and two miles east of Highway 93 along the Whitefish River in Section 29 T29N R21W.

Description of Proposed Work: FWP proposes to accept the donation of an additional 5.17 acres of land northeast of Kalispell, Montana, between the Pine Grove Pond FAS and the hillside to the west for the purpose of providing a buffer between the FAS and neighboring private land.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check ✓ all that apply and comment as necessary.)

- A. New roadway or trail built over undisturbed land?**
Comments: No roadways or trails.
- B. New building construction (buildings <100 sf and vault latrines exempt)?**
Comments: No new construction.
- C. Any excavation of 20 c.y. or greater?**
Comments: No excavation.
- D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**
Comments: No parking lots are proposed at this time.
- E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?**
Comments: No shoreline alteration.
- F. Any new construction into lakes, reservoirs, or streams?**
Comments: No new construction.
- G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**
Comments: No construction.
- H. Any new above ground utility lines?**
Comments: No new utility lines.
- I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**
Comments: No camping.
- J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?**
Comments: No.

APPENDIX B NATIVE SPECIES REPORT – MONTANA NATURAL HERITAGE PROGRAM

Sensitive Plant and Animal Species in the Vicinity of Pine Grove Pond Fishing Access

Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (<http://nris.mt.gov>) indicates occurrences of the federally listed threatened bull trout within two miles of the acquisition site in the Stillwater River. No other occurrences of federally listed endangered or threatened animal or plant species have been found within the vicinity of the proposed acquisition site. The search indicated that the project area is within the habitat for the westslope cutthroat trout, listed as sensitive by the U.S. Forest Service and U.S. Bureau of Land Management. MNHP has also recorded occurrences of great blue heron, lake trout, and hoary bat, Montana Species of Concern, within two miles of the proposed acquisition.

Montana Species of Concern. The term “**Species of Concern**” includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

Status Ranks (Global and State)

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are “at-risk”. Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known “occurrences” or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species’ life history that make it especially vulnerable are also considered (e.g., dependence on a specific pollinator).

Status Ranks

| Code | Definition |
|------------------------|--|
| G1 S1 | At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state. |
| G2 S2 | At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state. |
| G3 S3 | Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas. |
| G4 S4 | Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern. |
| G5 S5 | Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range. |

MFWP State Wildlife Action Plan (SWAP). Under the SWAP of 2015, all species with a state rank of S1-S3 were identified as Species of Greatest Conservation Need (SGCN) with the exception of invertebrates. However, mussels and crayfish are the only invertebrate species included in the SWAP as they fall under FWP jurisdiction and management per Montana Statutes, Title 87.

SENSITIVE PLANT AND ANIMAL SPECIES IN THE VICINITY OF PINE GROVE POND FAS

1. Ardea herodias (Great Blue Heron)

Vertebrate animal- Bird

Natural Heritage Ranks

State: **S3**

Global: **G5**

MT SWAP: **SGCN3**

Habitat- Riparian forests

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

Element Occurrence data was reported of great blue heron within the project area. Last observation date was 1995.

2. Oncorhynchus clarkii lewisi (Westslope cutthroat trout)

Vertebrate animal- Fish

Natural Heritage Ranks

State: **S2**

Global: **G4T3**

MT SWAP: **SGCN2**

Habitat- Mountain streams, rivers, lakes

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

Element Occurrence data was reported of westslope cutthroat trout within two miles of the project area on the Stillwater River. No observation dates were recorded.

3. Salvelinus confluentus (Bull trout)

Vertebrate animal- Fish
Natural Heritage Ranks

State: **S2**
Global: **G4**

Habitat- Mountain streams, rivers, lakes
Federal Agency Status:

U.S. Fish and Wildlife Service: **LT**
U.S. Forest Service: **Threatened**
U.S. Bureau of Land Management: **Special Status**

MT SWAP: **SGCN2**

Element Occurrence data was reported of bull trout within two miles of the project area on the Stillwater River, approximately two miles west of Pine Grove Pond FAS. No observation dates were recorded and, according to Mark Deleray of FWP, occurrence of bull trout very rarely occur in the Stillwater River.

4. Salvelinus namaycush (Lake trout)

Vertebrate animal- Fish
Natural Heritage Ranks

State: **S2**
Global: **G5**

Habitat- Deep mountain lakes
Federal Agency Status:

U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management:

MT SWAP: **SGCN2**

Element Occurrence data was reported of lake trout within two miles of the project area on the Stillwater River, approximately two miles west of Pine Grove Pond FAS. No observation dates were recorded. The Stillwater River is outside of the native range of Lake Trout.

5. Lasiurus cinereus (Hoary Bat)

Vertebrate animal- Mammal
Natural Heritage Ranks

State: **S3**
Global: **G5**

Habitat- Riparian and forests
Federal Agency Status:

U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management:

MT SWAP: **SGCN3**

Element Occurrence data was reported of hoary bat within two miles of the project area. The last recorded observation date was 2010.

APPENDIX C
FLATHEAD COUNTY WEED DISTRICT WEED INVENTORY

FWP Land Acquisition – Weed Inspection and Report

COMPLIANCE CHECKLIST FOR SECTION 7-22-2154, MCA

*FWP Regional Staff: Please return this form to
FWP Lands Bureau, P.O. Box 200701, Helena, MT 59620*

Property Name: Pine Grove Pond Fishing Access Site FWP Region: 1
County: Flathead

Date of Property Inspection with County Weed Management District: 9.5.14

County Representative(s): Steve Robinson

FWP Staff: Tony Powell

County Weed Management District - Inspection Report (Please attach weed inspection report or use the space below to describe noxious weeds present on the property, including observations of weed distribution and abundance):

Scattered Canada Thistle, Yellow TOADFLAX AND
Houndstongue. One small patch of Leafy
Spurge noted.

Noxious Weed Management Agreement (Please attach applicable weed management agreement or use the space below to indicate how noxious weeds on the property will be managed when the property is under FWP ownership. Indicate if property will be included in an FWP county or regional weed management plan):

County Weed Management District Representative: I have inspected the property, and reviewed the weed situation with a representative of Montana Fish, Wildlife & Parks. I concur with FWP's weed management plan for the property, as presented above and/or described in the attached information.

Signed: STP

Date: 9.5.14